

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SHI MIN CHEN, LIANHE ZHOU, YONG KANG LIU,
JIXIANG WANG, WEI MIN ZHU, JIAN CAI,
GUOQIANG XU, SHIQIANG GAO, BAOJUN TIAN,
XINLONG LIU, MIN JIANG, MINGDA KE, QIFANG C]
PINGJIN FAN, and GUO YONG ZHU, *individually*
and on behalf of others similarly situated,

Plaintiffs,

Case No. 17-cv-802

NOTICE OF MOTION

vs.

HUNAN MANOR ENTERPRISE, INC. d/b/a Hunan
Manor, HUNAN MANOR LLC d/b/a Hunan Manor,
HUNAN HOUSE MANOR INC. d/b/a Hunan Manor,
HUNAN HOUSE RESTAURANT, INC. d/b/a Hunan
Manor, HUNAN HOUSE RESTAURANT NY LLC
d/b/a Hunan Manor, HUNAN HOUSE, INC. d/b/a
Hunan Manor, A TASTE OF MAO, INC. d/b/a China
Xiang, JINGCHAO LI a/k/a JING CHAO LI a/k/a
Diana Li, ZHIDA LI a/k/a ZHI DA LI d/b/a ZHI BA LI,
and ZHENQI XIAO a/k/a NANCY XIAO a/k/a
NANCY ZHOU,

Defendants,

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PLEASE TAKE NOTICE that upon the annexed Affirmation by defense counsel Bingchen Li and its accompanying affidavit, the annexed Memorandum of Law in support, and all pleadings and other documents on the docket heretofore had herein, the undersigned will move this Court before United States District Judge George B. Daniels, at the United States Courthouse for the Southern District of New York, located at 500 Pearl Street, Courtroom 11A, New York, New York 10007, on a return date set by the Court, for a motion 1) for an order listed in Fed. R. Civ. P. Rule 37(b)(2)(A)(i)—(vi), including without limitation, dismissing all claims from the defaulting plaintiffs JIAN CAI, GUOQIANG XU, SHIQIANG GAO, MIN JIANG, MINGDA KE, and GUO

YONG ZHU, pursuant to Rule 37 of the Federal Rules of Civil Procedure; 2) for an order under Rule 37 to grant reasonable attorneys' fees as a result of Plaintiffs' failure to make themselves to be available for their depositions; 3) to dismiss all claims, pursuant to Rule 41 of the Federal Rules of Civil Procedures, and 4) such other relief this Court deems just and proper.

Dated: Nassau, New York
February 20, 2020

Law Office of Z. Tan PLLC

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